

Planning, Zoning and Housing Committee
of the Darien, Connecticut RTM

Draft Special Meeting Minutes

Date: March 11, 2009
Place: Darien Town Hall, Room 206
Present: Adelman, Bacon, Bayne, Bishko, Cleary, Conologue, Fead, Marston, Miller,
Olvany, Sini, van der Kieft
Absent: Hennesy, Jones, Magida, Young
Attending: David Bayne, Evonne Klein, Linda Santarella, Callie Sullivan (Members,
Board of Selectmen)

This was Special Meeting of the Planning, Zoning and Housing Committee with the Board of Selectmen in attendance.

The meeting was called to order at approximately 7:35 pm and the meeting agenda was reviewed by John van der Kieft, PZ&H Committee Chairman, and accepted.

The Chair presented the Committee's initial comments to the Board of Selectmen concerning the Affordable Housing Plan draft ("the Draft Plan"), dated January 29, 2009 with revision dated February 23. The following is a summary of topics that were presented and discussed:

1. An outline of the extensive efforts that PZ&H members have undertaken to date in order to provide feedback to the BOS prior to March 16, 2009, when the BOS is scheduled to appear before the RTM to answer any questions about the Draft Plan.
2. Due to the time constraint, the PZ&H Committee was unable to provide specific comments on the Strategy section of the Draft Plan, but expects to complete this task in coming weeks. The Committee hopes to have another opportunity to present its additional comments in a follow-up meeting with the BOS.
3. PZ&H concludes that the content of the Draft Plan suggests that the final version of the Affordable Housing Plan will provide a comprehensive resource on the subject of affordable housing in Darien. Members suggest that the final document is updated on a regular basis.
4. The Committee supports the overall need for an affordable housing plan and agrees with the Draft Plan's Mission Statement. It notes the Draft Plan recognizes the insufficient amount of affordable housing stock in Darien while outlining the importance of controlling the placement of affordable housing developments.
5. PZ&H also supports the need and desire outlined by the Draft Plan for a four year moratorium from 8-30g applications. The moratorium should allow the town the opportunity to further plan and introduce incentives for affordable housing development.
6. The Committee believes the Draft Plan should include more discussion of the physical differences in Darien relative to other surrounding communities including its existing

level of development and utilized space. It suggested that a build-out analysis should be included in the Draft Plan which would provide perspective on Darien's current stock of undeveloped land and the potential number of units that could be accommodated on this land if it were to be used for affordable housing.

7. PZ&H requests that an overlay map is included to better define areas suitable for affordable housing, as it currently listed in the Draft Plan.
8. Ms. Klein suggested that any land use plan could be part of the Town Plan of Conservation and Development. She indicated that there is additional information available in the Planning and Zoning Commission's Subcommittee report on Affordable Housing dated July 2007 and is also provided in the Darien Affordable Housing Advisory Committee (DAHAC) report dated October 2007. Ms. Santarella indicated that the undeveloped land information is available from the Planning and Zoning Department. Ms. Klein stated much like the Draft Plan, the Town Plan is intentionally very broad in its land use descriptions.
9. The Committee suggests that the Draft Plan should include an outline on how Darien and the State of Connecticut monitors, manages and regulates affordable housing to assure compliance with 8-30g parameters and other requirements.
10. Ms. Klein clarified that all tracking and monitoring of affordable housing is currently done at the state level with data submitted by the Darien Housing Authority and Avalon Bay. The state then supplies the town a periodic report after the submitted information is audited and verified. Ms. Klein said the BOS would consider providing some explanation of how this administration and tracking process works in the Plan.
11. Mr. Olvany questioned the BOS about the status of a deed restriction for a property located in downtown Darien as it relates to the town's affordable housing goals.
12. PZ&H members ask that the Draft Plan includes disclosure surrounding the anticipated expenses associated with the administration of the final Affordable Housing Plan, annual or periodic updates of the Plan, and/or feasibility studies to measure the practicality of proposals as outlined by the final plan.
13. Ms. Klein indicated that any expenses would be reflected in the annual budgeting process.
14. PZ&H advises that the Strategies listed in the Draft Plan are prioritized, in terms of which strategy should receive greater emphasis and which strategies are more important in reaching the goals as outlined by the Draft Plan.
15. Ms. Klein said that the Strategy section of the Draft Plan is basically "already prioritized" since many of the strategies listed are "already done or already in the works."
16. PZ&H offers suggestions to improve the organization and flow of the document.

After the Chair's presentation, a vibrant discussion between the members of PZ&H and the BOS included the following issues:

1. Members of the BOS thanked the Committee for its "helpful comments" and agreed that the document is in need of additional editing, organization, and a third party review.
2. Ms. Klein explained that the timetable for the BOS Affordable Housing plan discussion with the RTM was set by the RTM's Rules Committee and that BOS had no plans to push through the review of the Draft Plan in such a short time frame.

3. Ms. Klein stated that the BOS identified the need for a broad vision for affordable housing in Darien but that the development of a plan like this is typically executed by the town's Planning and Zoning Commission, not the BOS which is a policy making body. Ms. Klein went on to say affordable housing is a "land use issue to the core, regulated by land use rules, not by the BOS." She disclosed that the BOS has met with the P&Z Commission only once to discuss the Draft Plan and that the BOS continues to attempt to work with P&Z in an open process.
4. Ms. Bacon requested that the beginning of the Draft Plan should not only outline the physical character of the town, but also recognize the town's social responsibility associated with the affordable housing goals outlined by the Draft Plan.
5. Ms. Cleary underscored the importance of including a graphical representation of Darien's open space in the final Plan to clearly demonstrate the "monumental task" Darien faces in order to meet the state's affordable housing guidelines.
6. Mr. Bayne clarified to the Committee that the Draft Plan is a BOS policy statement. Ms. Sullivan, Ms. Santarella and Ms. Klein indicated that employees of Planning and Zoning Department wrote the document. Mr. Bayne went onto say that the document itself will not be voted on by the RTM but many aspects of the final plan could go before the RTM for approval, and as a result, it is important that RTM is informed about the Affordable Housing Plan.
7. Mr. Sini asked if Chairman Conze or any other members of the P&Z Commission have offered an explanation why P&Z has not provided any noteworthy comments on the Draft Plan up to this date. Mrs. Klein indicated that she is confused why P&Z has not provided comments in regards to the Draft Plan but indicated "P&Z has its own set of priorities." Mr. Sini asked if Town Counsel has advised P&Z to refrain from commenting on the Draft Plan. Ms. Klein and Mr. Bayne indicated that Town Counsel had recommended the disclaimer which is included in the Draft Plan, but they did not believe that Counsel provided P&Z guidance to abstain from commenting on the Draft Plan. BOS members indicated that they are hopeful that they will be able to meet with P&Z in late April or May to discuss the Draft Plan.
8. Mr. Marston provided commentary highlighting the importance of understanding the income characteristics of a typical affordable housing resident as defined by the state so that the goals of the Draft Plan are more widely accepted by Darien's populace.

The meeting was adjourned at 9:05 pm

Respectfully submitted by John Sini, Jr. – PZ&H Committee Clerk